

BEFORE: DENIS R. HURLEY, U.S. DISTRICT JUDGE

DATE: August 26, 2005

AT: 2:00 - 5:30 PM

CIVIL CAUSE FOR: ORDER TO SHOW CAUSE HEARING

CASE NUMBER: CV-05-3807

TITLE: FOLEY V. BAYPORT/BLUEPOINT UNION FREE SCHOOL DISTRICT

APPEARANCES:

FOR PLAINTIFF: PATRICIA FINN, ESQ.

FOR DEFENDANT: DAVID COHEN, ESQ

COURT REPORTER: HARRY RAPAPORT

X CASE CALLED.

X COUNSEL FOR ALL SIDES PRESENT.

 COUNSEL FOR NOT PRESENT.

X HEARING HELD ON MOTION BY PLAINTIFFS FOR PRELIMINARY INJUNCTION

X DECISION ENTERED ON THE RECORD.

X THE FOLLOWING RULINGS WERE MADE: FINDINGS OF FACT ARE PLACED ON THE RECORD.
THE COURT FINDS THAT PLAINTIFF HAS ESTABLISHED THAT HER RELIGIOUS BELIEFS AGAINST
IMMUNIZING HER CHILD ARE SINCERELY AND GENUINELY HELD. THE COURT GRANTS PLAINTIFFS
MOTION.

THE COURT HEREBY ORDERS THAT KRISTIN FOLEY IS GRANTED AN EXEMPTION FROM OBTAINING
IMMUNIZATIONS BEFORE BEING PERMITTED TO REGISTER FOR SCHOOL AND DIRECTS THE
BAYPORT/BLUEPOINT SCHOOL DISTRICT TO REGISTER KRISTIN FOLEY FOR THE 2005 FALL SCHOOL
TERM.

NO BOND WILL BE REQUIRED TO BE POSTED BY PLAINTIFFS.